

Question on notice no. 119

Portfolio question number: 442

2017-18 Supplementary budget estimates

Rural and Regional Affairs and Transport Committee, Infrastructure and Regional Development Portfolio

Senator Nick Xenophon: asked the Civil Aviation Safety Authority on 27 October 2017—

Senator XENOPHON: It is a sensitive issue. The standard form recommendation, as I understand it, is a document relating to adding references to a flight crew licence condition. Is that right? **Mr Carmody:** In reality it's a recommendation that might have many functions. It's a way of combining information to a decision-maker like me, a recommendation for us to take a particular course of action. So it might not be licensing; it could be anything. **Senator XENOPHON:** Sure, but the normal course is that for the document to be a valid document, it ought to be a signed document is that right? **Mr Carmody:** Yes, that would be reasonable. **Senator XENOPHON:** That's in terms of the appropriateness. My understanding is that a recommendation was made, but it was not signed off. In other words, are you satisfied, and you may want to take this on notice, that the standard form recommendation that I have referred you to is appropriately executed so as to be a valid document? **Mr Carmody:** I'd have to take it on notice. I haven't got the document. I don't know the date of the document. **Senator XENOPHON:** I'm happy for you to take that on notice, but I've got concerns as to the validity of the document in relation to that. This document relates to Mr James having to take a proficiency check prior to being able to act as a pilot in command of a multicrew aircraft. I've provided you with a copy of that. It's a form signed by Mr Roger Chambers, but my understanding is that it is not properly endorsed. Are you able to confirm that, or do you need to take that on notice? **Mr Carmody:** I'll take that on notice.

Answer —

The standard form recommendation (SFR), as tabled, is incomplete in that the delegate has not indicated on the form whether they agree or disagree with the recommendation and signed accordingly. While a document signed by the delegate that agreed with the action has not been located, the SFR was acted upon in that the condition was added to the flight crew licence.

However, the condition on the flight crew member's licence was not created by this SFR rather the SFR recommended the condition be printed on the licence. The condition originated from an agreement between the pilot and the Executive Manager CASA Operations contained in a letter to the pilot dated 27 March 2012. The conditions are valid because of this letter, regardless of whether the process to have the condition statement added to the flight crew licence was not completed correctly.